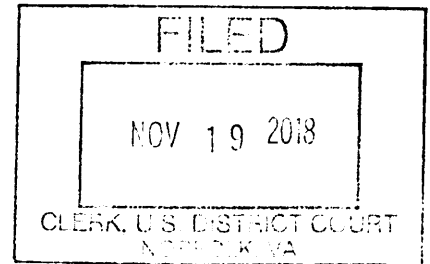


UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division



R.M.S. TITANIC, INC.,  
successor-in-interest to Titanic  
Ventures, limited partnership,

Plaintiff,

CIVIL ACTION NO. 2:93cv902

v.

THE WRECKED AND ABANDONED VESSEL, ITS  
ENGINES, TACKLE, APPAREL,  
APPURTENANCES, CARGO, ETC., LOCATED  
WITHIN ONE (1) NAUTICAL MILE OF A  
POINT LOCATED AT 41 43' 32" NORTH  
LATITUDE AND 49 56' 49" WEST  
LONGITUDE, BELIEVED TO BE THE R.M.S.  
TITANIC, IN REM,

Defendant.

ORDER

This matter comes before the court on R.M.S. Titanic, Inc.'s ("RMST") Motion to File Certain Diligence Exhibits Under Seal ("Motion"), filed on November 2, 2018. ECF No. 511. RMST's Motion requests that Due Diligence Exhibits G and I, ECF No. 516, be filed under seal. No objections to the Motion have been filed.

Fourth Circuit precedent requires the court to "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the

documents and for rejecting the alternatives." Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4th Cir. 2000).

The procedure set forth in Rule 5 of the Local Civil Rules for the Eastern District of Virginia is sufficient to provide public notice. See E.D. Va. Local Civ. R. 5. Rule 5 requires a motion to file under seal be accompanied by "a separate non-confidential notice that specifically identifies the motion as a sealing motion." Id. This notice "inform[s] the parties and non-parties that they may submit memoranda in support of or in opposition to the motion within seven (7) days after the filing of the motion to seal," and "any person objecting to the motion must file an objection with the Clerk within seven (7) days after the filing of the motion to seal." Id. "[I]f no objection is filed in a timely manner, the Court may treat the motion as uncontested." Id.


On November 2, 2018, in accordance with Local Civil Rule 5, RMST filed a Notice of Plaintiff R.M.S. Titanic, Inc.'s Motion to File Certain Due Diligence Exhibits Under Seal ("Notice"). ECF No. 513. The Notice was available on the public docket and sufficiently notified the public of RMST's request. As of the date of this Order, no objections or opposition to sealing have been filed or submitted. Accordingly, the court will treat the Motion as uncontested.

Further, the court finds that there are no less drastic alternatives to sealing Due Diligence Exhibits G and I. Where, as here, the Exhibits consist of highly sensitive, confidential, and proprietary information, redaction is not an option and sealing is necessary.

For these reasons, and for good cause shown, the court **GRANTS** RMST's Motion, ECF No. 511, and **DIRECTS** the Clerk to file Exhibits G and I submitted to the court on November 2, 2018, ECF No. 516, under seal.

The Clerk is **DIRECTED** to send a copy of this Order to counsel for all parties.

**IT IS SO ORDERED.**

\_\_\_\_\_  
/s/  
Rebecca Beach Smith  
Chief Judge  
  
\_\_\_\_\_  
REBECCA BEACH SMITH  
CHIEF JUDGE

November 19, 2018